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INFO	LOG-00	AF-01	AID-01	AMAD-01	CIAE-00	SMEC-00	OASY-00
	DODE-00	EB-01	OIGO-01	H-01	TEDE-00	INR-00	IO-16
	JUSE-00	L-01	ADS-00	NSAE-00	NSCE-00	OIC-02	OIG-04
	OMB-01	PA-01	PM-00	PRS-01	P-01	SNP-00	SP-00
	SR-00	SS-00	STR-01	TRSE-00	T-00	USIE-00	PMB-00
	PRM-10	PRME-01	G-00	/054R			

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P 170302Z AUG 94
FM SECSTATE WASHDC
TO USMISSION GENEVA PRIORITY
INFO RWANDA COLLECTIVE PRIORITY

C O N F I D E N T I A L STATE 221084

E.O. 12356: DECL: OADR
TAGS: PHUM, UNHRC, PREF, PREL, RW
SUBJECT: RWANDA: PENDING MEETINGS IN GENEVA WITH AYALA LASSO AND THE COMMISSION OF EXPERTS

REF: (A) GENEVA 6844 (B) WAGENSEIL/ALVAREZ TELCON AUG. 16

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1. CONFIDENTIAL - ENTIRE TEXT.

2. THIS IS AN ACTION MESSAGE. SEE PARAS 4 AND 6 BELOW.

3. BACKGROUND: DEPARTMENT PLACES THE HIGHEST PRIORITY ON THE PROMPT ESTABLISHMENT OF A WAR CRIMES TRIBUNAL FOR RWANDA. TO THIS EFFECT, WE ARE RECOMMENDING THAT AMB. ALBRIGHT CONTACT UN SYG BOUTROS GHALI THIS WEEK TO PERSUADE HIM TO AGREE TO THE ISSUANCE OF AN INTERIM REPORT BY THE COMMISSION OF EXPERTS WITHIN ONE MONTH. THE

UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: JOHN L MILLS
DATE/CASE ID: 15 SEP 2008 200103014

EXPECTATION IS THAT THE SECURITY COUNCIL COULD ACT ON THE BASIS OF THE INTERIM REPORT AND ADOPT A RESOLUTION ESTLISHING A RWANDA WAR CRIMES TRIBUNAL. END BACKGROUND.

4. DEPARTMENT UNDERSTANDS THAT THE UN HIGH COMMISSIONER FOR HUMAN RIGHTS AYALA LASSO PLANS TO LEAVE FOR AN AFRICA TRIP, WHICH WILL INCLUDE RWANDA, THE EVENING OF WEDNESDAY,

AUGUST 17. DEPARTMENT BELIEVES THAT A VISIT TO RWANDA BY THE HCRC AT THIS JUNCTURE COULD PROVE TO BE EXTREMELY HELPFUL. AT THE SAME TIME, FUNDING FOR THE DEPLOYMENT OF HUMAN RIGHTS MONITORS REMAINS AN ISSUE. MISSION SHOULD SEEK AN APPOINTMENT WITH THE HCHR AND RAISE THE POINTS IN PARA 5 BELOW:

5. BEGIN TALKING POINTS FOR AYALA,LASSO:

-- WE ARE GLAD THAT YOU HAVE DECIDED TO INCLUDE RWANDA IN YOUR AFRICA TRIP. YOUR VISIT COULD BE EXTREMELY HELPFUL AT THIS CRITICAL JUNCTURE IN RWANDA.

-- WE AGREE THAT THE QUICK DEPLOYMENT OF HUMAN RIGHTS MONITORS TO EVERY PREFECTURE IN RWANDA IS ESSENTIAL TO CONFIDENCE BUILDING. ONLY THEN CAN A FURTHER OUTFLOW OF REFUGEES BE AVERTED AND THOSE OUTSIDE RWANDA PERSUADED TO RETURN.

-- WE BELIEVE, HOWEVER, THAT THE ROLE OF THE MONITORS SHOULD BE ESSENTIALLY THAT OF CONFIDENCE BUILDING AND NOT AN INVESTIGATIVE ONE OF PAST ABUSES. WE WOULD WANT TO AVOID A SITUATION WHERE THE MONITORS ARE VIEWED AS PARTISAN BY EITHER SIDE.

-- THE MANDATE OF THE MONITORS MUST BE CAREFULLY CALIBRATED BY THE HUMAN RIGHTS CENTER. THERE WILL BE NEED FOR COORDINATION AMONG UNAMIR, MONITORS RECRUITED BY UNV'S AND THE HUMAN RIGHTS CENTER AND HUMAN RIGHTS NGO'S.

-- WE WANT TO AVOID A SITUATION WHERE THE ROLE OF THE "SPECIALISTS" DOING INVESTIGATIVE WORK FOR THE COMMISSION OF EXPERTS IS CONFUSED BY THE RWANDESE WITH THE WORK OF THE HUMAN RIGHTS MONITORS WHO WILL BE IN RWANDA TO WORK TOWARDS CONFIDENCE BUILDING.

-- WE, THEREFORE, BELIEVE THAT THOSE ASSISTING THE COMMISSION OF EXPERTS ON EVIDENCE GATHERING SHOULD NOT BE REFERRED TO AS "HUMAN RIGHTS MONITORS."

-- VIGILANTE JUSTICE MUST BE AVOIDED. YOUR VISIT TO RWANDA WILL ALLOW YOU THE OPPORTUNITY TO REITERATE TO RWANDAN OFFICIALS THE EXPECTATION OF THE INTERNATIONAL

COMMUNITY THAT THE RWANDA GOVERNMENT WILL OBSERVE THE RULE OF LAW AND DUE PROCESS.

-- AS YOU KNOW, DURING A/S SHATTUCK'S RECENT VISIT, THE RWANDAN GOVERNMENT AGREED TO SUPPORT THE ESTABLISHMENT BY

THE UN OF A WAR CRIMES TRIBUNAL AND MADE AN APPEAL TO THE UN SECRETARY GENERAL FOR QUICK ACTION BY THE SECURITY COUNCIL. YOU MAY WISH TO ASSURE THE RWANDAN GOVT. THAT THE INTERNATIONAL COMMUNITY IS ACTING ON ITS REQUEST AS EXPEDITIOUSLY AS POSSIBLE.

-- YOU MAY WANT TO TAKE THE OPPORTUNITY OF YOUR VISIT TO DISCUSS THE HUMAN RIGHTS CENTER'S ADVISORY SERVICES PROGRAM. THE RWANDAN GOVERNMENT COULD CERTAINLY BENEFIT FROM TECHNICAL ASSISTANCE IN THE AREAS OF RULE OF LAW AND ADMINISTRATION OF JUSTICE.

-- OUR GOVERNMENT IS CONSIDERING MAKING A VOLUNTARY CONTRIBUTION FOR THE DEPLOYMENT OF HUMAN RIGHTS MONITORS (AS OPPOSED TO COMMISSION STAFF) IN RWANDA. WE BELIEVE, HOWEVER, THAT OTHER GOVERNMENTS NEED FURTHER ENCOURAGEMENT TO DO THE SAME. WE URGE YOU TO CONSIDER CALLING A MEETING WITH AMBASSADORS TO DISCUSS THE ISSUE OF FUNDING FOR HUMAN RIGHTS MONITORS.

END TALKING POINTS FOR AYALA LASSO.

6. PER REF. TELCON, MISSION GENEVA PLANS TO MEET WITH THE MEMBERS OF THE COMMISSION OF EXPERTS ON THURSDAY, AUG. 18. MISSION SHOULD DRAW FROM TALKING POINTS IN PARA 7 BELOW

WHEN CONVEYING USG VIEWS ON THEIR MISSION IN RWANDA:

7. BEGIN TALKING POINTS FOR THE COMMISSION OF EXPERTS:

-- THE USG PLACES THE HIGHEST IMPORTANCE ON YOUR MISSION AND BELIEVES THAT THE INTERNATIONAL COMMUNITY MUST ACT PROMPTLY TO AVOID MORE BLOODSHED IN RWANDA.

-- WE BELIEVE THAT THE ESTABLISHMENT OF A RWANDA WAR CRIMES TRIBUNAL WOULD BE AN EXPEDITIOUS WAY TO BEGIN TO NORMALIZE THE SITUATION IN RWANDA.

-- THE RWANDAN GOVERNMENT HAS STATED PUBLICALLY THAT IT SUPPORTS THE ESTABLISHMENT OF A WAR CRIMES TRIBUNAL AND HAS APPEALED TO THE UN SECRETARY GENERAL FOR QUICK ACTION BY THE SECURITY COUNCIL.

-- WE HOPE THAT YOU WILL BE ABLE TO ISSUE AN INTERIM REPORT WITHIN ONE MONTH. IN THAT WAY, THE SECURITY COUNCIL WILL BE ABLE TO TAKE APPROPRIATE ACTION ON THE ASIS OF YOUR (EVEN PRELIMINARY) CONCLUSIONS.

-- WE ARE CONCERNED THAT DELAY ON THE PART OF THE

INTERNATIONAL COMMUNITY CAN LEAD TO FURTHER BLOODSHED. WE ELIEVE THAT IN ORDER TO BE EFFECTIVE, A WAR CRIMES TRIBUNAL SHOULD BE CREATED WITHIN FOUR TO SIX WEEKS. IN ORDER TO EXPEDITE THE PROCESS IN THE SECURITY COUNCIL, WE WOULD RECOMMEND THAT UPON CONCLUSION OF YOUR FIRST THREE WEEKS, YOU CONSIDER DISPATCHING A LETTER TO THE SYG INFORMING HIM OF YOUR CONCLUSIONS, AND IF APPROPRIATE,

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YOUR RECOMMENDATION THAT A WAR CRIMES TRIBUNAL BE ESTABLISHED. YOUR FULL REPORT CAN THEN BE CONSIDERED BY THE TRIBUNAL ONCE IT IS ESTABLISHED.

END TALKING POINTS FOR THE COMMISSION OF EXPERTS.

8. BUJUMBURA MINIMIZE CONSIDERED.
CHRISTOPHER

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